IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 4004 of 2005

Between:

1 Bandaru Prasad S/o. Venkata Subbaiah, Hindu
M/s. Sri Ganga Wines, (L.No. 56/98-99) Narketpalli, Vlg. and Mandal.
2 Aitha Raju Sathaiah S/o. Lingaiah, Hindu
M/s. Ramalaingeswara Wines, (L.No. 297/98-99) Narketpalli, Village and Mandal.
3 Ch. Narayana S/o.Sambaiah, Hindu,
M/s.Sri Chaitanya Wines, (L.No. 141/98-99) Narketpalli, Village and Mandal.
4 Y. Venkat Reddy S/o. Narsi Reddy, Hindu,
M/s. Dharani Wines, (L.No.549/2002-03) Narketpalli, Village and Mandal.
5 K. Yadagiri S/o. Ramulu, Hindu,
M/s.Siva Ganga Wines, (L.No.447/01-02) Yellareddyguda Village, Nareketpalli Mandal.
6 J. Sathaiah S/o. Anantahaiah
M/s. Venugopalaswamy Wines, (L.No.57/2002-03) M. Yadavalli Village, Mandal Narketpalli Mandal.
7 S. Balraj S/o. Chandraiah
M/s. Ravi Teja Wines, (L.No. 294/98-99) Ammanabolu village, Narketpalli Mandal.
8 A. Laxmi Narayana Goud S/o. Sathaiah, Hindu
M/s. Savera Wines, (L.No. 20/2003-04) Bhongir Town, Nalgonda District.
9 R. Sainadh S/o. Somaiah M/s. Nuthan Wines, (L.No. 208/98-99) Nalgonda, Nalgonda District.
10 G. Paramesha S/o. Saidulu
M/s. Siva Sai Wines, (L.No. 71/98-99) Nallagonda,
Nalgonda District.
11 G. Hemachander Rao S/o. Dharma Rao
M/s. Sri Venkateswara Wines, (L.No. 68/98-99) Nallagonda, Nalgonda District.
12 G. Nagaiah S/o. Sayanna
M/s. Natraj Wines,(L.No. 207/98-99) Nalgonda, Nalgonda District.
13 R. Anjaiah S/o. Somaiah
M/s. Siva Sai Wines, (L.No. 14/2001-02) Kottangoor Village and
Mandal, Nalgonda District.
14 G. Ashok Rao S/o. Venkat Rao
M/s, Siva Sai Wines, (L.No.41/2002-03) Pillalamarri Village, Suryapet Mandal

15 S. Praveen Kumar Reddy S/o. Raghupathi Reddy
M/s. Sri Venkata Sai Wines, (L.No. 234/98-99) Nalgonda, Nalgonda District.
16 N. Srinivasa Rao S/o. Narsimha Rao
M/s. Sri Venkataramana Wines, (L.No.223/98-99)
Nalgonda town, Nalgonda District.
17 Pullemulla Yadagiri S/o. Chandraiah
M/s. Lakshmi Wines, (L.No. 221/98-99) Nalgonda, Nalgonda District.
18 Ch. Chandramouli S/o. Yellaiah
M/s. Raghurama Wines, (L.No. 81/98-99), Nalgonda, Nalgonda District.
19 P. Maruthi Rao S/o. Balaji
M/s. Heera Wines, (L.No. 224/98-99) Nalgonda, Nalgonda District.
20 V.C. Rajagopal S/o. Narsimulu
M/s. Sandhya Wines, (L.No.9/98-99) Nalgonda, Nalgonda District.
21 G. Yadaiah S/o. Ramaswamy
M/s. Sri Vijayalakshmi Wines, (L.No. 519/2002-03) Kanagal Village and Mandal.
22 N. Bikcham S/o. Saidulu M/s. Nirmala wines, (L.No.215/98-99)
Kanagal village and Mandal.
23 N. Venkata Swamy S/o. Chinna Sailu
M/s. Sai Siva wines, (L.No.30/01-02) Kanchanpalli Vilage.
24 T. Jayasudha W/o. Paramesh
M/s. Jaya Durga wines, (L.No. 60/2002-03) Kanchanpalli village.
25 M. Ashok Reddy S/o. Buchi Reddy
M/s. Sri Mayuri Wines, (L.No. 516) Munugodu Village and Mandal,
26 T. Vishnumurhty S/o. Yadagiri M/s. Vamsikrishna wines, (L.No. 310/98-99)
Mudugodu Village and Mandal.
27 A. PrakashReddy S/o. Buchi Reddy
M/s. Tirumala wines, (L.No. 36/2002-03) Kathalguda Village.
28 K. Yadagiri Reddy S/o. Dasaratha Reddy
M/s. Manjeera Wines, (L.No. 518/02-03) Village, Kothapalli- Sagar Road.
29 L. Narayana S/o. Sarvaiah
M/s. Lavanya wines, (L.No. 156/98-99) Atmakur.
30 K. Nagarjuna Reddy S/o. Narsi Reddy
M/s. Sri Srinivasa Wines, (L.No. 42/98-99) Mothkur Village &Mandal.
31 G. Sathayanarayana S/o. Yadagiri
M/s. Swarna Wines, (L.No. 5/03-04) Mothkur Village and Mandal.
32 K. Ramesh S/o.Sathaiah
M/s.Manideep wines, (L.No. 527/2002-03) Gundala Village.
33 K. Samandhar S/o. Bavaiah,
M/s. Sandhya Wines, (L.No. 41/98-99) Mothkur village and Mandal.
34 M. Venkata Reddy S/o. Ram Reddy
M/s. Nagarjuna Wines, L.No. 17/01-02) Rayagiri, Bhongir Mandal.
35 G. Mahender Reddy S/o. Gopal Reddy,
M/s. Vamsi Wines (L.No. 325/98-99) Wangapalli village,
Yadagirigutta Mandal
36 S. Venkat Reddy S/o. Gopal Reddy
M/s. Laxmi Sai wines, (L.No. 26/2002-03) Mothy village and Mandal.
37 M. Santhosh kumar S/o. Nageshwar Rao
M/s. Vamshi wines (L.No. 150/98-99) Thungathurthy village and Mandal.
38 D. Suresh Rao S/o. Sampath Rao
M/s. Shanti Wines, (L.No. 282/98-99) Thungathurthy village and Mandal.
39 G. Srinivasa Rao S/o. Rama Rao
M/s. Sri Sai wines, (L.No. 31/03-04) Thungathurthy village and Mandal.
40 Ch. Anjaiah S/o. Venkata Narasaiah

M/s. Sri Sai Ganesh wines, (L.No. 574/03-04) Nuthankal Village and Mandal.

41 D. Srilatha D/o. Yadagiri Reddy
M/s. Lucky Wines (L.No. 270/98-99) Kethipalli Village and Mandal.

42 K. Prabhakar Reddy S/o. Veera Reddy
M/s. Sunitha wines, (L.No. 58/98-99) Thirumalagiri, Nalgonda.

43 S. Krishnaiah S/o. Sathaiah
M/s. Sri Krishna wines, (L.No. 524/02-03) Maddirala Village,
Nuthankel Mandal.

44 P. Mallikarjun S/o. Somaiah
M/s. Vamshi wines (L.No. 151/98-99) Arvapalli village,
and Mandal.

45 N. Sriramulu S/o. Pullaiah
M/s. Chandra wines,(L.No. 528/02-03) Thimmapauram Village, Arvapalli Mandal.

(All are belong to Nalgonda District.) **.... PETITIONERS**

AND

1 The Government of Andhra Pradesh, Revenue (Excise.II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibition & Excise, Hyderabad.
3 The Prohibition & Excise Superintendent, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more one in the nature of WRIT OF MANDAMUS declaring the action of the 1st respondent Government in issuing G.O.Ms.No.991, Revenue (Excise.II) Department, dt. 4-12-2004 and the consequential G.O.Ms.No. 184 Revenue (Excise-UU) Department dt. 7-2-2005 as arbitrary, illegal, unjust, contrary to law, in violation of the fundamental rights guaranteed to petitioners herein under Articles 14, 19 and 21 of the Constitution of India and also having the effect of being contrary to the Directive principles of State Policy apart from being contrary to the provisions of the Andhra Pradesh Excise Act, 1968 and the A.P. Indian Liquor and Foreign Liquor Rules, 1970 and for consequential direction to the respondents to consider the case of the petitioners herein for renewal of their IL-24-B Licenses in accordance with law and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.M.SUBBA REDDY

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court made the following :

ORDER:

It is submitted by learned counsel for petitioner and admitted to by the learned Government Pleader for Prohibition and Excise that the subject matter of this writ petition is squarely covered by the judgment of the Division Bench of this Court in W.A. No. 344, 345, 346 and 347 of 2005 dated 22-3-2005.

In the circumstances, following the said judgment this writ petition is disposed of by and in terms of the observations and directions made therein. No costs.

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N.V.RAMANA,J

25TH April, 2005

tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Government of Andhra Pradesh, Revenue (Excise.II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibition & Excise, Hyderabad.
3 The Prohibition & Excise Superintendent, Nalgonda, Nalgonda District.

4) 2 CD copies

5) 2 CCs to the Government Pleader for Prohibition and Excise, High Court of A.P. Buildings, Hyderabad (OUT)